

Not Confidential

Memorandum of Telephonic Communication

Date: 12/6/2011 **Attorney/Analyst:** JEM

File No.: 2011-3249/2011-4261

Other Party: Brian Knight **Race:**

Tel. No.: 404-656-5063

Title/Organization: Georgia Reapportionment Office

Jurisdiction: Sumter County School District, Sumter County, GA

Subject: 2011 redistricting plan

Mr. Knight called at 4 p.m. on 12/5 and left a brief message requesting a return call.

12/6 8:45 I called and left a detailed voice mail message for Mr. Knight that included my telephone number and a request for the current benchmark plan for the School District with 2010 Census data. I explained what we had received contained 2000 Census data.

I spoke with Mr. Knight and explained what we needed. He advised he hoped to have the 2010 Census overlay on the current plan emailed to vot1973@usdoj.gov by the COB today. I explained time is becoming critical and expressed my appreciation for his timely response.

12/12 Left detailed message requesting 2010 Census data overlay on benchmark. I left my phone in case he has any questions, and the Voting Section email address, if he has the data ready to send.

12/13 I spoke with Tanya and left a detailed message requesting the status of the promised updated of the benchmark overlay with 2010 Census data. I also explained that time was of the essence and I cannot continue to wait for this information to arrive. She explained he was in a meeting until 11 a.m. and that she would give him my message at that time.

Not Confidential

Memorandum of Telephonic Communication

Date: 11/16/2011 **Attorney/Analyst:** JEM

File No.: 2011-3249/2011-4261

Other Party: James M. Skipper **Race:**

Tel. No.: 229-924-9316

Title/Organization: Counsel for the county

Jurisdiction: Sumter County School District, Sumter County, GA

Subject: 2011 redistricting plan

Left a brief message requesting a return call.

2:45 Mr. Skipper called and I asked that he provide me with the benchmark map using 2010 Census demographic data derived from census equivalency blocks. We only have maps for the proposed plan. He said he will check to see if this can be provided and he will get back with me.

11/23 Left detailed voice mail message requesting an update on the request for benchmark data.

11/23 Mr. Skipper called a left a voice mail advising he has requested the benchmark data from the state reapportionment office but has not heard back from them since. He had called today but left a message as no one answered the call. He will follow-up when he learns more.

12/5 I spoke with Mr. Skipper about having him submit the current plan with 2010 Census data overlaid. He has provided us with the current plan with 2000 Census data. He said this was too technical for him and he unsuccessfully attempted to place a conference call with his contact at the Georgia Reapportionment Office. He then said he would call back once he had the other party on the line.

043775

Not Confidential

Memorandum of Telephonic Communication

Date: 9/26/2011 **Attorney/Analyst:** JEM

File No.: 2011-3249

Other Party: James M. Skipper, Jr. **Race:**

Tel. No.: 229-924-9316

Title/Organization: Counsel for the District

Jurisdiction: Sumter County School District, Sumter County, GA

Subject: Act No. 184 (SB154) (2011) which provides for a change in the method of election to five single member districts and two at-large seats, a reduction in the number of trustees from nine to seven and the implementation schedule, the staggering of terms, and an appointed chairperson.

Mr. Skipper stated he will have to get back to me with information on the recommendation from the Southern Association of Colleges and Schools. He is not sure if it was specific to the district or a more general guideline for districts of a certain population. He will either call in or email the information. Superintendent Brooks can be reached at (b)(7)(C).

Back in the mid-90's, the City of Americus School District merged with the county school district. The resulting board was larger to accommodate both city and county trustees. Now, the trustees have voted 9-0 to approve the changes and request their adoption via local legislation. The local representatives presented the legislature which was signed by the governor with no negative comments made either locally or, to his knowledge, in the legislature. He learned just this past Friday late, that the county/school district redistricting plan has been signed by the governor and that will be sent in shortly. The vacancy seat is not up for election until 2014 so the special election will be called and held in November 2012 and will be submitted next year. Until the vacancy is permanently filled, under state law the district has appointed a replacement. District 7 had been represented by Doug Goodin who is white.

Skipper did not attend the public meetings during which the proposed changes were discussed but stated there has been no local opposition that (b)(7)(C) is aware of and the only question (b)(7)(C) has been asked was from (b)(7)(C) who asked about the implementation schedule. (b)(7)(C) noted the two at-large seats will not be from posts or other by any other designation.

Shaffer, Tracy L (CRT)

From: Barbara Luten [bluten@americuslaw.com]
Sent: Tuesday, October 11, 2011 2:42 PM
To: vot1973c (CRT)
Subject: File No. 2011-3249 - Sumter County, Georgia Board of Education (Reduction in Membership of Board)
Attachments: Justice Department (Preclearance of Reduction of Membership on Board)(10-11-11).pdf

Mr. Murray:

Attached is a letter in response to your inquiry to Mr. Skipper in connection with the above referenced file which has been submitted to the United States Department of Justice for pre-clearance. If you have any further questions or need additional information, please contact us.

Thank you.

*Barbara M. Luten, Secretary
to Jimmy Skipper
Gatewood, Skipper & Rambo, P.C.
Post Office Box 488
410 West Lamar Street
Americus, Georgia 31709
Telephone: (229) 924-9316*

GATEWOOD, SKIPPER & RAMBO, P. C.

Attorneys at Law
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POST OFFICE BOX 488
AMERICUS, GEORGIA 31709

JAMES C. GATEWOOD
JAMES M. SKIPPER, JR.
WILLIAM W. RAMBO
G. BARDIN HOOKS, JR.

TELEPHONE: (229) 924-9316
TELECOPIER: (229) 924-6248
REAL ESTATE FACSIMILE: (229) 931-9097

October 11, 2011

Via E-mail: vot1973c@usdoj.gov

Mr. James Murray
United States Department of Justice
Room 7254 - NWB
1800 G Street, N.W.
Washington, D.C. 20006

**RE: Section 5 Pre-Clearance Request
Sumter County, Georgia Board of Education
Reduction in Membership of the Board
Subject File: 2011-3249
Our File No. 8000/770J**

Dear Mr. Murray:

You had contacted me a week or so ago regarding several questions that you had related to the information which we had submitted on behalf of the Sumter County School District related to pre-clearance of Senate Bill 154, which resulted in a reduction of the number of seats on the Sumter County School Board from nine (9) seats to seven (7) seats. We discussed the underlying history and reasons for those changes in our telephone conversation. In addition, you requested information regarding the statement in the submission that the reduction in the number of seats had been recommended by the Southern Association of Colleges and Schools. As we discussed, that information was provided to me by the School District prior to the original submission. In checking with Dr. Brooks, the School Superintendent, he advises that he cannot locate any specific document in which such recommendation appears; rather, he is of the opinion that the recommendation was submitted to the school system orally by representatives of the Association.

If you have any further questions, please let me know.

Very truly yours,



James M. Skipper, Jr.

JMSjr:bml
Enclosures

cc: Dr. Roy Brooks, Superintendent,
Sumter County Board of Education

043778



U.S. Department of Justice

Civil Rights Division

TCH:RSB:JR:JEM:par
DJ 166-012-3
2011-3249
2011-4261

Voting Section - NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530

October 17, 2011

James M. Skipper, Jr., Esq.
Gatewood, Skipper & Rambo
P.O. Box 488
Americus, Georgia 31709

Re: Your File No. 8421/770J

Dear Mr. Skipper:

This refers to Act No. 184 (SB 154) (2011), which provides for a change in the method of election from nine single member districts to five single member districts coterminous with commissioner districts and two seats at-large; a reduction in the number of trustees from nine to seven and the implementation schedule; and a change in the staggering of terms, for the Sumter County School District in Sumter County, Georgia, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submission on August 18, 2011; additional information was received on October 11, 2011.

We understand that the school board districting plan has been enacted and signed by the governor. Our records do not indicate that this change affecting voting has been submitted to the United States District Court for the District of Columbia for judicial review or to the Attorney General for administrative review as required by Section 5 of the Voting Rights Act of 1965. Accordingly, it must either be brought before that federal district court or submitted to the Attorney General for a determination that it has neither the purpose nor will have the effect of discriminating on account of race, color, or membership in a language minority group. Changes that affect voting are legally unenforceable unless and until the appropriate Section 5 determination has been obtained. *Clark v. Roemer*, 500 U.S. 646 (1991); Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.10.

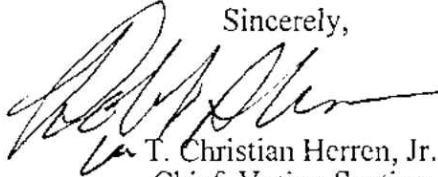
Because the changes now before us and the unsubmitted changes are directly related, they must be reviewed simultaneously. Accordingly, it would be inappropriate for the Attorney General to make a determination on the instant changes until the related changes have been submitted for Section 5 review. 28 C.F.R. 51.22(b) and 51.35.

Should you elect to make a submission to the Attorney General for administrative review rather than seek a declaratory judgment from the District Court for the District of Columbia, it should be made in accordance with Subparts B and C of the Procedures. At that time we will review all changes simultaneously; however, any documentation previously provided need not be resubmitted.

-2-

To enable us to meet our responsibility to enforce the Voting Rights Act, please inform us of the action the Sumter County School District plans to take concerning these matters. If you have any questions, you should call Joseph E. Murray (b)(7)(C) of our staff. Refer to File Nos. 2011-3249 and 2011-4261 in any response to this letter so that your correspondence will be channeled properly.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Christian Herren, Jr.", written over a horizontal line.

T. Christian Herren, Jr.
Chief, Voting Section

McCorkle, Perry C (CRT)

From: Dianne Coody [dcoody@americuslaw.com]
Sent: Thursday, October 20, 2011 1:11 PM
To: vot1973c (CRT)
Cc: Jimmy Skipper
Subject: Subject File Nos. 2011-3249 and 2011-4261 - Section 5 Pre-Clearance Request - Sumter County, Georgia Board of Education - Reduction in Membership of the Board
Attachments: 20111020131224951.pdf

Jimmy Skipper asked that I email the attached to you.

Dianne Coody
Gatewood, Skipper & Rambo, P.C.
P. O. Box 488
410 W. Lamar Street
Americus, Georgia 31709
dcoody@americuslaw.com

-----Original Message-----

From: Dianne [<mailto:dcoody@americuslaw.com>]
Sent: Thursday, October 20, 2011 1:12 PM
To: Dianne
Subject: Message from "RNP0026732F79BF"

This E-mail was sent from "RNP0026732F79BF" (Aficio MP C5501).

Scan Date: 10.20.2011 13:12:24 (-0400)
Queries to: ame327@americuslaw.com

GATEWOOD, SKIPPER & RAMBO, P. C.

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TELEPHONE: (229) 924-9316
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REAL ESTATE FACSIMILE: (229) 931-9097

October 18, 2011

Via Fax No. (202) 616-9514

Judith Reed, Esquire
United States Department of Justice
Civil Rights Division
Voting Section - NWB
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

**RE: Subject File Nos: 2011-3249 and 2011-4261
Section 5 Pre-Clearance Request
Sumter County, Georgia Board of Education
Reduction in Membership of the Board
Our File No. 8421/770J**

Dear Ms. Reed:

This will acknowledge receipt of your letter of October 17, 2011, regarding the above referenced matters.

You are correct that the Georgia General Assembly, during a recently concluded Special Session, adopted new district maps for the Sumter County School District based upon legislation reducing the number of members on the School Board from nine (9) to seven (7). That legislation reducing the number of members on the School Board was adopted during the regular Legislative Session, and was signed into law by the Governor on May 12, 2011. Therefore, that legislation was submitted to the Justice Department first for pre-clearance.

The redistricting of the School Districts that was passed by the General Assembly during the recent Special Session and signed into law on September 21, 2011, is in the process of being prepared for submission for pre-clearance. The reason it has not yet been submitted is simply because I am in the process of submitting four (4) pre-clearance requests for various public entities which I represent at the present time. I am working on all of them simultaneously, and I have just not been able to finish all of them for pre-clearance submission yet. The Sumter County School District's redistricting Plan, along with the other three that I am working on for other clients, should be submitted to you within the next week or so, so you will be able to

Judith Reed, Esquire
United States Department of Justice

October 18, 2011
Page 2

consider all of the changes for the Sumter County School District at the same time as you have now requested..

I have also contacted Mr. Joseph E. Murray of your staff and advised him of this response.

If you have any questions, please let me know.

Very truly yours,



James M. Skipper, Jr.

JMSjr:bml

cc: Mr. Joseph E. Murray
Via e-mail: voj1973cl@usdoj.gov

GATEWOOD, SKIPPER & RAMBO, P. C.

Attorneys at Law
410 WEST LAMAR STREET
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REAL ESTATE FACSIMILE: (229) 931-9097

October 18, 2011

Via Fax No. (202) 616-9514

Judith Reed, Esquire
United States Department of Justice
Civil Rights Division
Voting Section - NWB
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

**RE: Subject File Nos: 2011-3249 and 2011-4261
Section 5 Pre-Clearance Request
Sumter County, Georgia Board of Education
Reduction in Membership of the Board
Our File No. 8421/770J**

2011 OCT 20 PM 1:16

CIVIL RIGHTS DIVISION
VOTING SECTION

Dear Ms. Reed:

This will acknowledge receipt of your letter of October 17, 2011, regarding the above referenced matters.

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Judith Reed, Esquire
United States Department of Justice

October 18, 2011
Page 2

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If you have any questions, please let me know.

Very truly yours,



James M. Skipper, Jr.

JMSjr:bml

cc: Mr. Joseph E. Murray
Via e-mail: voj1973c@usdoj.gov

GATEWOOD, SKIPPER & RAMBO, P. C.

Attorneys at Law
410 WEST LAMAR STREET
POST OFFICE BOX 488
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SECTION 5 SUBMISSION

JAMES C. GATEWOOD
JAMES M. SKIPPER, JR.
WILLIAM W. RAMBO
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NO. 2011-3247

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October 28, 2011

Via United States Parcel Service
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Chief, Voting Section
Civil Rights Division
Room 7254 - NWB
United States Department of Justice
1800 G Street, N.W.
Washington, D.C. 20006

SECTION 5 SUBMISSION

NO. 2011-4261

**RE: Submission of Sumter County Board of Education
Pre-Clearance of Redistricting Plan Under 2010 Census
Submission Under Section 5 of the Voting Rights Act
Your File No. 2011-4261
Our File No. 8421/994J**

Gentlemen:

This firm represents the Sumter County Board of Education, and this submission is made on behalf of that entity.

During its 2011 Special Session, the Georgia General Assembly passed Senate Bill 4EX, which establishes new districts for Members of the Board of Education of Sumter County based upon the 2010 census. The existing redistricting plan, based upon the 2000 decennial census, was approved and was pre-cleared by the United States Department of Justice in 2002. The new redistricting plan for which pre-clearance is sought, is known as plan name SumterCCSB-2011.

Background Information:

In the 2011 regular session of the Georgia General Assembly, local legislation was adopted on behalf of the Sumter County Board of Education that began the process of reducing the size of the Board from nine members to seven members over two election cycles. As part of that legislation, the Board of Education is to have five election districts with five members, and two Board of Education Members are to be elected from the county at large, for a total of seven members. The five election districts for the Board of Education are to be the same as the five election districts for the Sumter County Board of Commissioners, mainly to reduce confusion

United States Department of Justice
October 28, 2011

Page 2

and complications at the ballot box. In addition, the two at-large members were added to match the redistricting structure adopted by the Sumter County Board of Commissioners. The legislation was adopted, as stated, during the regular 2011 session of the Georgia General Assembly as Senate Bill 154, and has been previously submitted to your office for pre-clearance under Section 5 of the Voting Rights Act of 1965, as amended. (File No. 2011-3249).

As far as the specific redistricting plan under the 2010 census that is being submitted for pre-clearance, all of the five districts are single-member districts with staggered terms of four years each. A chairperson is elected by the Board from its membership and does not have to be one of the members elected at-large.

Under the 2000 census, Sumter County had a total population of 33,200 persons, of which 16,276 (49.02%) were African American. The 2000 census voting age population (VAP) for Sumter County was 23,968, of which 10,715 (44.71%) were African American. Under the 2010 census, Sumter County had a total population to 32,819 persons, of which 17,200 (52.41%) were African American. The 2010 census VAP for Sumter County was 24,518, of which 11,884 (48.47%) were African American. According to the total population figures, each of the five Board of Education districts should contain 6,563 people to the extent possible.

A copy of the breakdown of black and white voters in the nine districts approved after the 2000 decennial census, which is attached hereto as a part of Exhibit "A," shows that under the 2000 census there were three majority black districts with the black VAP in excess of 67% (District 4, District 8, and District 9), there was one district (District 1) with a black VAP of 50.23%, and the remaining five districts had a majority white VAP. Nevertheless, six African Americans currently hold seats on the Board even though only four districts have a majority black VAP.

Under the 2010 redistricting plan, which is the subject of this submission, the reduction from nine members to seven members means that there will be two districts (District 1 and District 5) which have African American populations in excess of 63%. There will be one African American influenced district (District 4) with a black VAP of 44.24%. The remaining two districts (District 2 and District 3) have a black VAP of 30.51% and 36.42%, respectively.

It should be noted that African Americans in Sumter County have succeeded in being elected to the School Board, even in districts where the black VAP is less than 50%. For example, in the 2010 general election, Mr. Kelvin Pless, a black man, defeated Donna Minich, a white woman and the incumbent, in the District 3 Board of Education race. Under the 2000 redistricting plan, District 3 had a 45.76% black VAP. Despite this apparent disadvantage, Mr. Pless defeated the incumbent and won the election with over 55% of the total votes cast.

United States Department of Justice
October 28, 2011

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Given the fact that Sumter County now has a black VAP of 48.47%, it certainly becomes logical that two out of the five new districts would have a black VAP in excess of 63%, while one district would serve as an influence district with a black VAP of 44.24%. The population deviations for the five new districts are -2.00%, 1.39%, -0.26%, 1.77%, and -0.84%, and are, therefore, within allowable deviation limits.

Approval of Plan At Local and State Levels

The redistricting plan as passed by the General Assembly and as submitted for pre-clearance was approved by the Sumter County Board of Education by a 4-3 vote. In doing so, the Board adopted a Resolution requesting introduction of the redistricting plan as local legislation during the 2011 Special Session of the Georgia General Assembly. The Board undertook to receive input from the public with respect to the plan with at least two public hearings regarding the redistricting plans prior to the plan being adopted by the local Board. In addition, the redistricting plans were displayed in various public locations around Sumter County during the month prior to the adoption of the redistricting plan by the local Board. Further, the Sumter County Board of Commissioners also held several public hearings regarding the redistricting plan since the actual redistricting plan for the Sumter County Board of Commissioners is the same as the redistricting plan for the Sumter County Board of Education. At the State level, the legislation was introduced as Senate Bill 4EX and was approved by the Georgia Senate on August 25, 2011. It was approved by the Georgia House on August 31, 2011 and was signed by the Governor on September 21, 2011. It was designated as Act 7EX.

None of the districts that constitute the submitted plan were drawn based solely upon racial consideration; however, race was taken into account in connection with the overall population for Sumter County. This redistricting plan embarks the Board of Education upon a new course as a result of the reduction of membership on the Board from nine members to seven members over the next two election cycles. It would appear that any time there is a reduction in the total number of members of a Board, such as the Sumter County Board of Education, there would be a substantial change not only in the number of persons represented by each elected Board member, but also in the districts they represent because of the different geographic configurations required for a five member Board with two members elected at large as opposed to the required geographic configurations of a nine member Board with all members elected by district. It should be kept in mind that the reduction in size of the Board was approved by a unanimous vote of the Board of Education.

Finally, from a voter's perspective, the requirement that the five districts for the Board of Education and the 5 districts for the Board of Commissioners be the same from a geographical standpoint is a very important consideration. In the past, there has been a greater likelihood of

United States Department of Justice
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Page 4

voter confusion because districts for the two elected Boards were overlapping and inconsistent. Consolidating the districts for the two Boards so that a voter living in District 1 for Board of Commissioners purposes also lives in District 1 for Board of Education purposes cannot be overstated in importance for the voter and for encouraging voter participation on election day.

Enclosed Documentation


With respect to this submission, I am enclosing the documents listed on Exhibit "A" to this submission for your consideration.

Request For Expedited Consideration

We would respectfully request expedited consideration for this submission of your existing rules and regulations.

Thank you for your consideration, and, as always, if there is any other information that you would like to have provided, please let me know as soon as possible.

Very truly yours,



James M. Skipper, Jr.

JMSjr:bml
Enclosures

cc: Mr. Sam Olens, Attorney General, State of Georgia
Ms. Linda Ford, Director, Secretary of State Elections Division
Dr. Roy Brooks, Superintendent, Sumter County Board of Education

Exhibit "A"
Enclosed Documentation

<u>Exhibit</u>	<u>Description</u>
1	Senate Bill 4EX (Signed by the Governor on September 21, 2011)
2	Statistical information on Sumter County Board of Education Districts based on 2000 decennial census
3	Statistical information on Sumter County Board of Education Districts based on 2010 decennial census
4	Resolution of the Sumter County Board of Education Requesting the Local Legislative Delegation for Sumter county to Introduce a Sumter County Board of Education Redistricting Plan at a Special Session of the Georgia General Assembly in August, 2011 (Resolution adopted August 11, 2011)
5	Copy of "Notice of Intent to Introduce Local Legislation" which was published in the <u>Americus Times-Recorder</u> on August 12, 2011
6	Notice of Called Meeting of the Sumter County Board of Education on July 27, 2011
7	Notice of Called Meeting of the Sumter County Board of Education and the Sumter County Board of Commissioners on July 28, 2011
8	Maps of Proposed Districts with Overlay of Sum92cc (Plan: sumtercc-prop1, Type: Local)
9	List of names, addresses, and races of the current School Superintendent and each current member of the Sumter County Board of Education
10	Minutes of Called Meeting of the Sumter County Board of Education on July 27, 2011
11	Minutes of Regular Meeting of the Sumter Board of Education on August 11, 2011

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James B. Skipper, Jr. 229-924-9316

STATEWOOD, SKIPPER, AND RAMBO

410 W LAMAR ST

AMERICUS GA 31709-3473

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Chief, Voting Section
Civil Rights Division

UNITED STATES DEPARTMENT OF JUSTICE

1600 J Street, N.W. Room 7054-114

Washington, D.C. 20530

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U.S. Department of Justice

Civil Rights Division

TCH:RSB:JR:JEM:par
DJ 166-012-3
2011-3249
2011-4261

Voting Section - NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530

JAN 03 2012

James M. Skipper, Jr., Esq.
Gatewood, Skipper & Rambo
P.O. Box 488
Americus, Georgia 31709

Dear Mr. Skipper:

Re: Your File Nos. 8421/770J and 8421/994J

This refers to Act No. 184 (SB 154) and Senate Bill 4EX (2011), which provide for the reduction in the number of trustees from nine to seven; a change in the method of election from nine to five single member districts coterminous with commissioner districts and two at-large seats; the implementation schedule and the change in the staggering of terms; and the resulting 2011 redistricting plan, for the Sumter County School District in Sumter County, Georgia, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submissions on November 1, 2011; additional information was received through December 13, 2011.

Our analysis indicates that the information sent is insufficient to enable us to determine that the proposed changes have neither the purpose nor will have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group, as required under Section 5. The following information is necessary so that we may complete our review of your submission:

1. Election returns, by precinct, for all elections from 2002 to present, including primary, runoff, and general elections, in which a minority candidate has participated. For such each election, please provide the following:
 - a. each candidate's name, race, and office/position sought (indicate incumbent(s), if any, and whether incumbency was by election or appointment;
 - b. the number of votes, by voting precinct, that each candidate received, and the winners of each contest;
 - c. the total number of registered voters, by voting precinct and by race, at the time of each election identified above;
 - d. the total number of voters who cast a ballot, by voting precinct and by race, and

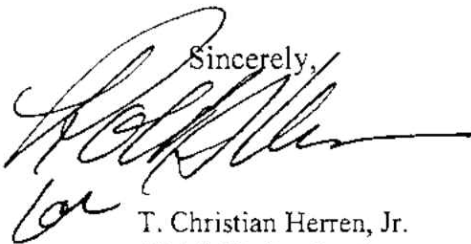
- e. the current number of registered voters, by race and by precinct.

If exact numbers by race and party are not available for your responses above, provide your best estimate and the basis for that estimate. If available, please provide the data in electronic format (.dbf, .xls, or .txt files)

2. A detailed description of all efforts made by the county, both formal and informal, to secure the views of the public, including the minority community, regarding the proposed changes. Please provide the substance of any comments or suggestions received, both before and after the changes were adopted, the names and daytime telephone numbers of the persons making any such comments or suggestions, and the county's response, if any.
3. Copies of all newspaper articles, editorials, letters to the editor, and advertisements, as well as any other publicity that address or describe or discuss the process or proposed changes.
4. A listing of the current home address or other means to indicate the current residence of each incumbent trustee.
5. The factual basis for the county's conclusion that the proposed changes will not result in a retrogression in the level of minority voting strength in the school district.

The Attorney General has sixty days to consider a completed submission pursuant to Section 5. This sixty-day review period will begin when we receive the information specified above. Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.37. However, if no response is received within sixty days of this request, the Attorney General may object to the proposed changes consistent with the burden of proof placed upon the submitting authority. 28 C.F.R. 51.40 and 51.52(a) and (c). Changes that affect voting are legally unenforceable unless and until the appropriate Section 5 determination has been obtained. *Clark v. Roemer*, 500 U.S. 646 (1991); 28 C.F.R. 51.10. Therefore, please inform us of the action the district plans to take to comply with this request.

If you have any questions concerning this letter or if we can assist you in obtaining the requested information, please call Joseph E. Murray (202-616-2340) of our staff. Refer to File Nos. 2011-3249 and 2011-4261 in any response to this letter so that your correspondence will be channeled properly.

Sincerely,

T. Christian Herren, Jr.
Chief, Voting Section

Shaffer, Tracy L (CRT)

From: Barbara Luten [bluten@americuslaw.com]
Sent: Thursday, January 19, 2012 4:15 PM
To: vot1973c (CRT)
Cc: #1 Jimmy Skipper
Subject: Sumter County, Georgia Board of Education - File Nos. 2011-3249 and 2011-4261
Attachments: Justice Department (File Nos. 2011-3249 and 2011-4261)(1-19-12).pdf

Gentlemen:

Please see attached letter regarding our previous submissions for pre-clearance in the above referenced file numbers on behalf of the Sumter County, Georgia Board of Education.

If you have any questions, please contact James M. Skipper, Jr. at the address below or at his e-mail address of jskipper@americuslaw.com.

Thank you.

*Barbara M. Luten, Secretary
to Jimmy Skipper
Gatewood, Skipper & Rambo, P.C.
Post Office Box 488
410 West Lamar Street
Americus, Georgia 31709
Telephone: (229) 924-9316*

GATEWOOD, SKIPPER & RAMBO, P. C.

Attorneys at Law
410 WEST LAMAR STREET
POST OFFICE BOX 488
AMERICUS, GEORGIA 31709

JAMES C. GATEWOOD
JAMES M. SKIPPER, JR.
WILLIAM W. RAMBO
G. BARDIN HOOKS, JR.

TELEPHONE: (229) 924-9316
TELECOPIER: (229) 924-6248
REAL ESTATE FACSIMILE: (229) 931-9097

January 19, 2012

*Via e-mail: vot1973c@usdoj.gov
and via First Class United States Mail*

Chief, Voting Section
Civil Rights Division
Room 7254 - NWB
United States Department of Justice
1800 G Street, N.W.
Washington, D.C. 20006

Mr. T. Christian Herren, Jr.
Chief, Voting Section
U.S. Department of Justice
Civil Rights Division
Voting Section – NWB
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

**RE: Submission of Sumter County Board of Education
Pre-Clearance of Redistricting Plan Under 2010 Census
Submission Under Section 5 of the Voting Rights Act
Our File Nos. 8421/770J and 8421/994J
Your File Nos. 2011-3249 and 2011-4261**

Gentlemen:

By letter dated January 3, 2012, the Justice Department requested additional information regarding the above referenced files now pending in connection with pre-clearance submissions to the Justice Department on behalf of the Sumter County Board of Education. My office has prepared responses in order to provide you with the additional information which you requested.

However, please be advised that I was directed by a majority vote of the Sumter County Board of Education at a meeting held on January 18, 2012, that the School Board wishes to withdraw its submissions for pre-clearance of Senate Bill 154 and Senate Bill 4EX, both of which were adopted during the 2011 Regular Session and the 2011 Special Session, respectively, of the Georgia General Assembly.

United States Department of Justice
January 19, 2012

Page 2

You should receive official notice of this decision directly from the Chair of the School Board in writing within the next few days.

Finally, please be advised that I no longer serve as local legal counsel to the Board, so until further notice, all correspondence with the School Board regarding such pre-clearance matters should be directed to the School Superintendent, as follows:

Dr. Roy Brooks, Superintendent
Sumter County Board of Education
100 Learning Lane
Americus, Georgia 31719
Telephone: (229) 931-8500

Thank you for your consideration.

Very truly yours,



James M. Skipper, Jr.

JMSjr:bml

cc: Dr. Roy Brooks, Superintendent
Sumter County Board of Education

Shaffer, Tracy L (CRT)

From: Maurice Luther King, Jr. (b)(7)(C)
Sent: Tuesday, January 31, 2012 3:14 PM
To: vot1973c (CRT)
Subject: Submission of Sumter County Board of Education 2011-3249 and 2011-4261

January 31, 2012

T. Christian Herren, Jr.
Chief, Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Joseph E. Murray
Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

RE: Submission of Sumter County Board of Education
Pre-Clearance of Redistricting Plan Under 2010 Census
Submission Under Section 5 of the Voting Rights Act
File No.: 2011-3249 and 2011-4261

Dear Gentlemen:

On January 18, 2012, a majority of the board members for the Sumter County Board of Education voted to request that their attorney withdraw their submission to the United States Department of Justice. The purpose of this letter is to confirm that the submission has been withdrawn.

Under Georgia law, the votes of a majority of the members of the school board decide issues for the school board. O.C.G.A. §20-2-57 (a), in relevant part, states: "A majority of the local board shall constitute a quorum for the transaction of business. The votes of a majority of the members present shall be necessary for the transaction of any business or discharge of any duties of the local board of education, provided there is a quorum present."

Please note that any future correspondence regarding the above-referenced matter should be directed to my office as I am now the school board attorney for the Sumter County Board of Education.

Sincerely,

THE LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.

MAURICE LUTHER KING, JR.
ATTORNEY AT LAW
MLK,jr:sdj
C: Ms. Edith Green, Chairperson, Sumter County Board of Education

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The Law Offices of Maurice Luther King, Jr., P.C.

Albany, Georgia 31708-2071

(229) 639-0619

Fax: (229) 639-0837

Email: (b)(7)(C)

SECTION 5 SUBMISSION

NO. 2011-3249

FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: 202-307-9934

To: Mr. Joseph Murray

From: Maurice King

**Matter: Sumter County Georgia School District, File # 2011-3249
and 2011-4261**

Date: 2/1/2012

DOCUMENTS	NUMBER OF PAGES*
Fax Sheet	1
Letter	1

COMMENTS:

Dear Mr. Murray:

Please see the attached.

Sincerely,

Maurice Luther King, Jr.

2012 FEB - 1 PM 1:44

CIVIL RIGHTS DIVISION
SECTION 5

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The
LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.

609 Pine Avenue
ALBANY, GEORGIA 31701
TELEPHONE (229) 639-0619
TELECOMMER (229) 639-0837
E-mail (b)(7)(C)

MAURICE L. KING, JR., J.D., M.P.A.

MAILING ADDRESS:
POST OFFICE BOX 1207
ALBANY, GEORGIA 31708-2407

January 31, 2012

T. Christian Herren, Jr.
Chief, Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Joseph E. Murray
Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

RE: Submission of Sumter County Board of Education
Pre-Clearance of Redistricting Plan Under 2010 Census
Submission Under Section 5 of the Voting Rights Act
File No.: 2011-3249 and 2011-4261

Dear Gentlemen:

On January 18, 2012, a majority of the board members for the Sumter County Board of Education voted to request that their attorney withdraw their submission to the United States Department of Justice. The purpose of this letter is to confirm that the submission has been withdrawn.

Under Georgia law, the votes of a majority of the members of the school board decide issues for the school board. O.C.G.A. § 20-2-57 (a), in relevant part, states: "A majority of the local board shall constitute a quorum for the transaction of business. The votes of a majority of the members present shall be necessary for the transaction of any business or discharge of any duties of the local board of education, provided there is a quorum present."

Please note that any future correspondence regarding the above-referenced matter should be directed to my office as I am now the school board attorney for the Sumter County Board of Education.

Sincerely,

THE LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.

BY:


MAURICE LUTHER KING, JR.
ATTORNEY AT LAW

MLK,jr:sdj

C: Ms. Edith Green, Chairperson, Sumter County Board of Education

McCorkle, Perry C (CRT)

From: Maurice Luther King, Jr. (b)(7)(C)
Sent: Wednesday, February 01, 2012 2:21 PM
To: vot1973c (CRT)
Subject: Submission of Sumter County Board of Education File No.: 2011-3249 and 2011-4261

February 1, 2012

T. Christian Herren, Jr.
Chief, Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Joseph E. Murray
Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

RE: Submission of Sumter County Board of Education
Pre-Clearance of Redistricting Plan Under 2010 Census
Submission Under Section 5 of the Voting Rights Act
File No.: 2011-3249 and 2011-4261

Dear Gentlemen:

The purpose of this letter is to formally notify the United States Department of Justice that the Sumter County Board of Education, by majority vote on about January 18, 2012, voted to withdraw the submission in the above-referenced matter, and hereby withdraws the submission.

If this letter is not sufficient to withdraw the above-referenced submission, please let me know. Also, I have enclosed a copy of a letter addressed to some of the board members who voted to withdraw the submission.

If you should have any questions and/or comments regarding same, or if something is amiss, please feel free to write or call me.

Sincerely,

THE LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.

BY: MAURICE LUTHER KING, JR.
ATTORNEY AT LAW

MLK,jr:sdj
Enclosure
C: Ms. Edith Green, Chairperson, Sumter County Board of Education
(w/enclosure)

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THE LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.
Albany, Georgia 31708-2071
(229) 639-0619
Fax: (229) 639-0837
Email: (b)(7)(C)

FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: 202-307-9934

To: Mr. Joseph Murray
From: Maurice Luther King, Jr.
Matter: Sumter County Georgia School District File Nos 2011-3249 & 4261
Date: 02/01/2012

DOCUMENTS	NUMBER OF	PAGES
Fax Sheet	1	
Letter	1	
Attachment	1	

COMMENTS:

Dear Mr. Murray:

Please see attached. Thank you.

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CIVIL RIGHTS DIVISION
VIOLATION SECTION
FEB - 1 PM 6:06

The
LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.

609 Pine Avenue
ALBANY, GEORGIA 31701
TELEPHONE (229) 639-0619
TELECOMETER (229) 639-8837
E-mail: (b)(7)(C)

MAURICE L. KING, JR., J.D., M.P.A.

MAILING ADDRESS:
POST OFFICE BOX 7201
ALBANY, GEORGIA 31708-2001

February 1, 2012

T. Christian Herren, Jr.
Chief, Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Joseph E. Murray
Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

RE: Submission of Sumter County Board of Education
Pre-Clearance of Redistricting Plan Under 2010 Census
Submission Under Section 5 of the Voting Rights Act
File No.: 2011-3249 and 2011-4261

Dear Gentlemen:

The purpose of this letter is to formally notify the United States Department of Justice that the Sumter County Board of Education, by majority vote on about January 18, 2012, voted to withdraw the submission in the above-referenced matter, and hereby withdraws the submission.

If this letter is not sufficient to withdraw the above-referenced submission, please let me know. Also, I have enclosed a copy of a letter addressed to some of the board members who voted to withdraw the submission.

If you should have any questions and/or comments regarding same, or if something is amiss, please feel free to write or call me.

Sincerely,

THE LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.

BY: 

MAURICE LUTHER KING, JR.
ATTORNEY AT LAW

MLK,jr:sdj
Enclosure

C: Ms. Edith Green, Chairperson, Sumter County Board of Education
(w/enclosure)



U.S. Department of Justice

Civil Rights Division

TCH:RSB:JR:JEM:maf

DJ 166-012-3

2011-3249

2011-4261

Voting Section - NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530

February 15, 2012

Maurice Luther King, Jr., Esq.
P.O. Box 72071
Albany, Georgia 31708-2071

Dear Mr. King:

This refers to Act No. 7EX (S.B. 4EX)(2011), which provides for the 2011 redistricting plan; and Act No. 184 (S. B. 154) (2011), which provides for the change in the method of election from nine single member districts to five single member districts coterminous with commissioner districts and two seats at-large; the reduction in the number of trustees from nine to seven and the implementation schedule; and the change in staggering of terms, for the Sumter County School District in Sumter County, Georgia, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submissions on November 1, 2011; additional information was received on February 1, 2012.,

Your January 31, 2012, letter withdraws these submission from Section 5 review. Accordingly, no determination by the Attorney General is required concerning these matters. Procedures for the Administration of Section 5 of the Voting Rights of 1965, 28 C.F.R. 51.25(a).

Sincerely,

A handwritten signature in cursive script, reading "T. Christian Herren, Jr.", is written over a printed name and title.

T. Christian Herren, Jr.
Chief, Voting Section

GATEWOOD, SKIPPER & RAMBO, P. C.

Attorneys at Law
410 WEST LAMAR STREET
POST OFFICE BOX 488
AMERICUS, GEORGIA 31709

JAMES C. GATEWOOD
JAMES M. SKIPPER, JR.
WILLIAM W. RAMBO
G. BARDIN HOOKS, JR.

TELEPHONE: (229) 924-9316
TELECOPIER: (229) 924-6248
REAL ESTATE FACSIMILE: (229) 931-9097

August 17, 2011

Via Overnight Courier
United Parcel Service
Tracking No. 1Z 3X2 830 22 1004 3204

Chief, Voting Section
Civil Rights Division
Room 7254 - NWB
Department of Justice
1800 G Street, N.W.
Washington, D.C. 20006

SECTION 5 COMPLAINT

NOV 2011-2249

RE: Section 5 Pre-Clearance Request
Sumter County Board of Education – Reduction of Membership
2011 Session, Georgia General Assembly
Our File No. 8421/770J

Gentlemen:

This firm represents the Sumter County Board of Education, and this pre-clearance request is submitted on behalf of that entity.

During the 2011 Session of the Georgia General Assembly, the General Assembly adopted local legislation reducing the number of members elected to the Sumter County Board of Education from nine (9) members to seven (7) members. The legislation was requested by a unanimous vote of the local Board of Education adopted December 9, 2010. A true and accurate copy of that Resolution of the Board of Education is attached as Exhibit "A."

A copy of the legislation introduced as Senate Bill 154 by Senator Hooks of the 14th Senatorial District is attached hereto as Exhibit "B." The basic provisions of the legislation which we are seeking to pre-clear are as follows:

- (1) The membership on the Board of Education will be reduced over two (2) election cycles from nine (9) members to seven (7) members.
- (2) Five (5) members of the Board of Education will be elected from districts that are geographically identical to the five (5) election districts for the Sumter County Board of Commissioners.
- (3) Two (2) members of the Board of Education will be elected from at-large districts.

United States Department of Justice
August 17, 2011

Page 2

(4) The Chair of the Board of Education, as well as the other officers of the Board, will be elected by the Board members themselves.

The underlying reason for the change from nine (9) members to seven (7) members is that the Board has discovered that, for a county and school system the size of Sumter County, having nine (9) members on the Board of Education is unwieldy. I have also been advised that the change from nine (9) members to seven (7) members has also been recommended by the Southern Association of Colleges and Schools, which is the educational accrediting agency for the Sumter County Board of Education. The purpose of making the five (5) School Board districts the same as the County Commission districts is to reduce voter confusion that results from overlapping districts in two separate County offices. One of the reasons for the two (2) at-large districts is to allow for the five (5) districts for the Board of Education to be consistent with the five (5) districts of the Sumter County Board of Commissioners, and without those two (2) at-large districts, making those two sets of districts the same would likely be difficult, if not impossible.

I am also enclosing the following additional documents related to this submission:

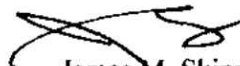
(a) Copy of the Notice of Intention to Introduce Local Legislation which was published in the local legal organ as required by law on February 4, 2011 (attached as Exhibit "C.")

(b) A list of the names, addresses, telephone numbers, and races of the current members of the Sumter County Board of Education (attached as Exhibit "D.") Included on that list is also the contact information for Dr. Roy Brooks, who is the Superintendent of Schools for the Sumter County Board of Education.

Since we are in the process of redistricting based on the 2010 decennial census for the Sumter County School Board and the Sumter County Board of Commissioners, we would request expedited consideration of this request as authorized by your regulations.

Thank you for your consideration of this request. If you need me to provide you with answers to any questions you might have, please feel free to give me a call.

Very truly yours,



James M. Skipper, Jr.

JMSjr:bml
Enclosures

cc: Mr. Sam Olens, Attorney General, State of Georgia
Ms. Linda Ford, Director, Secretary of State Elections Division
Dr. Roy Brooks, Superintendent, Sumter County Board of Education

**RESOLUTION
OF THE BOARD OF EDUCATION OF SUMTER COUNTY, GEORGIA,
REQUESTING THE LOCAL LEGISLATIVE DELEGATION FOR SUMTER COUNTY
TO INTRODUCE LOCAL LEGISLATION
PROVIDING FOR A REDUCTION IN THE NUMBER OF MEMBERS
ELECTED TO THE SUMTER COUNTY SCHOOL BOARD;
TO PROVIDE FOR REDISTRICTING OF THE DISTRICTS
OF THE SCHOOL BOARD MEMBERS TO REFLECT SUCH REDUCTION;
TO PROVIDE FOR AN EFFECTIVE DATE;
TO PROVIDE FOR REPEAL OF CONFLICTING RESOLUTIONS;
AND FOR OTHER PURPOSES**

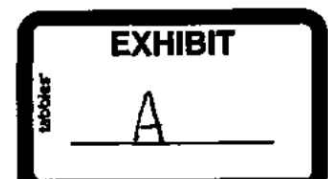
WHEREAS, the Georgia General Assembly adopted House Bill 1309 (Act No. 469) during the 2002 Session of the Georgia General Assembly; and

WHEREAS, such Act provided for the election of nine (9) members of the Sumter County Board of Education by district; and

WHEREAS, the legislation, upon its adoption, was pre-cleared under Section 5 of the 1965 Voting Rights Act, as amended, and is still in effect as of the date of this Resolution; and

WHEREAS, a majority of the members of the Board of Education deem it appropriate to reduce the size of the Board from nine (9) elected members to seven (7) elected members; and

WHEREAS, the Board deems it appropriate, in order to avoid voter confusion, to provide that five (5) of the members of the Board of Education shall be selected from districts which are geographically identical to the five (5) election districts for the Sumter County Board of Commissioners, and that two (2) of the members of the Board of Education be elected from at-large districts; and



WHEREAS, the results of the 2010 decennial census are not yet available, and it is anticipated that such census will not be available until after the 2011 Legislative Session of the Georgia General Assembly; and

WHEREAS, the changes sought by a majority of the members of the Sumter County Board of Education in adopting this Resolution must be approved by the Georgia General Assembly, signed into law by the Governor as local legislation, and then pre-cleared by the United States Justice Department under Section 5 of the 1965 Voting Rights Act, as amended.

NOW, THEREFORE, BE IT RESOLVED by a majority of the members of the Board of Education of Sumter County, Georgia, and it is hereby resolved by authority of the same, as follows:

1. That the Sumter County Board of Education hereby approves, by a vote of 9 to 0, reducing the number of elected members on the Board of Education from nine (9) members to seven (7) members, based upon recommendations from the Southern Association of Colleges and Schools received by the Board.

2. That School Board Election District 1, School Board Election District 2, School Board Election District 3, School Board Election District 4, and School Board Election District 5 shall be established so that such School Board Districts are geographically identical to Sumter County Board of Commissioner Election District 1, Sumter County Board of Commissioner Election District 2, Sumter County Board of Commissioner Election District 3, Sumter County Board of Commissioner Election District 4, and Sumter County Board of Commissioner Election District 5, said Sumter County Board of Commissioner Election Districts having been previously approved by the Georgia General Assembly and pre-cleared by the United States Department of Justice under Section 5 of the Voting Rights Act of 1965, as amended.

3. That School Board Election District 6 shall be an at-large District encompassing the entire geographic area of Sumter County, Georgia.

4. That School Board Election District 7 shall be an at-large District encompassing the entire geographic area of Sumter County, Georgia.

5. That the term of office of each person elected as a member of the Sumter County Board of Education shall be four (4) years, with the initial terms of office for members of the School Board under the terms of the local legislation to be adopted hereunder being staggered so that all offices are not elected at the same time. To the extent possible without terminating any Board member's terms prior to the expiration thereof, beginning with the general election to be held in 2012, the election for School Districts 1,2,3,4, and 5 shall be held in the same year as its Sumter County Board of Commissioners District numerical counterpart. The elections for School Board Districts 6 and 7 shall be held at such times as will be provided by the local legislation adopted to carry out the purposes and intent of this Resolution.

6. That no provision of this Resolution, or any Act of the General Assembly adopted pursuant to this Resolution, shall result in or be construed to reduce or shorten the term of office of any member of the Sumter County Board of Education presently holding office.

7. That the Sumter County Board of Education hereby requests that the legislative delegation to the General Assembly representing Sumter County have drafted and introduced, during the upcoming 2011 Session of the Georgia General Assembly commencing on January 10, 2010, legislation as more particularly set out in this Resolution for adoption by the General Assembly and signing by the Governor in the manner required for local legislation in the Georgia General Assembly.

8. That the Sumter County Board of Education further agrees to request that

local legislation be introduced during subsequent Sessions of the Georgia General Assembly based upon the 2010 decennial census; provided, however, that such local legislation shall provide that School Board Election District 1, School Board Election District 2, School Board Election District 3, School Board Election District 4, and School Board Election District 5 shall continue to be configured geographically identical to the Sumter County Board of Commissioner Election District 1, Sumter County Board of Commissioner Election District 2, Sumter County Board of Commissioner Election District 3, Sumter County Board of Commissioner Election District 4, and Sumter County Board of Commissioner Election District 5 as the same will be based upon the 2010 decennial census.

9. That, upon approval of said local legislation by the Georgia General Assembly and the Governor, the attorney for the Sumter County Board of Education shall submit such legislation to the United States Department of Justice for pre-clearance under Section 5 of the Voting Rights Act of 1965, as amended.

SO RESOLVED, effective this 9th day of December, 2010.

Sumter County Board of Education

By: Michael Busman
Michael Busman, Chairman

Attest: Roy Brooks
Roy Brooks,
Superintendent/Secretary

11

I.C. 14 0415

Senate Bill 154

By: Senator Hooks of the 14th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To revise and restate the law relating to the Sumter County board of education and school
2 superintendent; to provide for a change in the number of members of the board and the
3 districts from which they are elected; to provide for eligibility, manner of election, and filling
4 of vacancies; to provide for a chairperson and vice chairperson; to provide for compensation;
5 to provide for appointment of the school superintendent; to provide for submission of this
6 Act for preclearance under the Voting Rights Act; to repeal a specific former Act and Acts
7 amendatory thereto; to provide for related matters; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 The purpose of this Act is to revise and restate the law relating to the Sumter County board
12 of education and school superintendent. Provisions relating to the school superintendent and
13 the compensation of members of the board of education are restated from prior law without
14 substantial change. The number of members of the board of education will be reduced from
15 *nine at the current time to seven for the year 2015 and future years. Over a phased schedule*
16 *five members will be elected from the same districts from which members of the Sumter*
17 *County board of commissioners are elected and according to the same schedule and two*
18 *members of the board will be elected from Sumter County at large.*

19 SECTION 2.

20 (a) The members of the Sumter County board of education in office on the effective date of
21 this Act shall serve out the remainder of the terms for which they were elected, such terms
22 expiring according to the following schedule:
23 (1) The four current members representing Districts 1, 2, 4, and 6 are serving for terms
24 expiring at the end of 2012; and

S. B. 154
- 1 -

043812



25 (2) The five members representing Districts 3, 5, 7, 8, and 9 are serving for terms expiring
26 at the end of 2014.
27 (b) In the event of any vacancy in the term of office of one of the current board members
28 referred to in this section, such vacancy shall be filled for the remainder of the unexpired
29 terms in the manner provided by the law in effect prior to this Act.

30 **SECTION 3.**

31 (a) Each Sumter County Commissioner District provided for in an Act to created a board of
32 commissioners of Roads and Revenues in the Counties of Floyd, Berrien, Effingham, Schley,
33 Sumter, and Greene, approved December 13, 1871 (Ga. L. 1871, p. 665), as amended,
34 particularly by an Act approved February 25, 1993 (Ga. L. 1993, p. 3831) shall also
35 constitute a Sumter County School Board District. The five school board districts shall be
36 numbered one to five in the same manner as the five commissioner districts.

37 (b) At the general election in 2012 and quadrennially thereafter a total of four members of
38 the board of education shall be elected as follows: three members elected from School Board
39 Districts 1, 3, and 5 for terms of four years and one member shall be elected from Sumter
40 County at large for a term of four years, leaving the size of the school board at nine members
41 for the years 2013 and 2014. A quorum of the board shall be five members until January 1,
42 2015.

43 (c) At the general election in 2014 and quadrennially thereafter a total of three members of
44 the board of education shall be elected as follows: two members elected from School Board
45 Districts 2 and 4 and one member elected from Sumter County at large, leaving the size of
46 the school board at seven members for the year 2015 and all future years. A quorum of the
47 board shall be four members on and after January 1, 2015.

48 (d) The reference to county commissioner districts in this Act shall specifically incorporate
49 any future changes in such county commissioner districts for so long as the Sumter County
50 commission continues to be elected from five single member districts, with any changes in
51 the county commissioner districts taking effect for the board of education at the same
52 election at which they take effect for the board of commissioners. If at any time the Sumter
53 County commission ceases to be elected from five single member districts, the most recent
54 such districts shall remain in effect for election of the board of education until otherwise
55 provided by law.

56 **SECTION 4.**

57 (a) No person shall be a member of the board of education if he or she is ineligible for such
58 office pursuant to the provisions of Code Sections 20-2-51 or 45-2-1 or any other provision
59 contained in the O.C.G.A.

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LC 14 0415

60 (b) In order to be elected as a member of the board from a commissioner district, a person
61 must have resided in that district for at least six months prior to the date such person qualifies
62 as a candidate for election from such district and must receive a majority of the votes cast for
63 that office in that district only and not at large. Only electors who are residents of that
64 district may vote for a member of the board from that district. At the time of qualifying for
65 election as a member of the board from a district, each candidate for such office shall specify
66 the district for which that person is a candidate. A person elected as a member of the board
67 from a district must continue to reside in that district during that person's term of office or
68 that office shall thereupon become vacant.

69 **SECTION 5.**

70 In the event a vacancy occurs in the membership of the board of education for any reason,
71 such vacancy shall be filled as follows:

72 (1) If the vacancy occurs more than 90 days prior to the date of a general election
73 preceding the general election at which a successor would be elected to a new full term of
74 office, then such vacancy shall be filled for the unexpired term of office at a special
75 election to be held on the same date as said general election preceding the general election
76 at which a successor would be elected to a new full term of office; and in this case the
77 remaining members of the board of education shall, by majority vote, select a qualified
78 person to fill the vacancy until the person elected at such special election takes office; and
79 (2) If the vacancy does not occur more than 90 days prior to the date of a general election
80 preceding the general election at which a successor would be elected for a new full term
81 of office, then the remaining members of the board of education shall, by majority vote,
82 select a qualified person to serve for the remainder of the unexpired term. The individual
83 so selected must meet the residency requirements as specified in subsection (b) of this
84 section.

85 **SECTION 6.**

86 Members of the board of education shall be elected in nonpartisan elections as authorized by
87 Code Section 21-2-139 of the O.C.G.A.

88 **SECTION 7.**

89 At the first meeting of the board of education in January of each year, the board shall elect
90 a chairperson and a vice chairperson, each of whom shall be eligible to succeed himself or
91 herself.

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LC 14 0415

92 **SECTION 8.**

93 Each member of the board of education shall be compensated in the amount of \$200.00 per
94 month. In addition, each member of the board shall be entitled to reimbursement for actual
95 expenses necessarily incurred in connection with travel outside of the county on official
96 business of the board of education, including, but not limited to, attending training sessions
97 or state-wide meetings; provided, however, that such travel is authorized by a majority vote
98 of the members of the board of education prior thereto. All expenses shall be approved and
99 verified prior to reimbursement in such manner as may be specified by the board. Each
100 board member shall be entitled to participate in any school district group insurance plan to
101 the extent authorized in Code Section 20-2-55 of the O.C.G.A.

102 **SECTION 9.**

103 The board shall appoint a superintendent of the Sumter County School System as provided
104 by Code Section 20-2-101 of the O.C.G.A. The superintendent shall possess the
105 qualifications prescribed by the laws of this state for county school superintendents and shall
106 be compensated in an amount to be determined by the board. The present superintendent
107 shall remain in office until his or her successor is appointed.

108 **SECTION 10.**

109 The Sumter County board of education shall through its legal counsel cause this Act to be
110 submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and
111 such submission shall be made to the United States Department of Justice or filed with the
112 appropriate court no later than 90 days after the date on which this Act is approved by the
113 Governor or otherwise becomes law without such approval.

114 **SECTION 11.**

115 An Act relating to the Sumter County board of education and school superintendent,
116 approved February 29, 1968 (Ga. L. 1968, p. 3065), as amended, and the several Acts
117 amendatory thereto are repealed in their entirety.

118 **SECTION 12.**

119 All laws and parts of laws in conflict with this Act are repealed.

**NOTICE TO DEBTORS
& CREDITORS**STATE OF GEORGIA
COUNTY OF SUMTERIN RE: Estate of JOHN CARL
MORRIS, SR., deceased.

All creditors of the estate of John Carl Morris, Sr., deceased, late of Sumter County are hereby notified to render their demands to the undersigned, according to law, and all persons indebted to said estate are required to make immediate payment to me.

This 12th day of January, 2011.

/s/ Shelley Jan Woods Morris,
Executrix
212 Sharon Drive
Americus, GA 31709
23561960
01/14,21,28;02/04/11

gpn18

IN THE PROBATE COURT OF
SUMTER COUNTY, GEORGIA**NOTICE TO CREDITORS**

Notice is hereby given pursuant to O.C.G.A. § 53-7-41, that any and all creditors of the estate of the late **Robert Allen Morris** should tender said claims immediately and any and all persons indebted to said estate are required to make immediate payment. Claims and payments should be made to the executor, Nell Marie Norris Ireland, by and through the Attorney of record who is J. Michael Greene, P.O. Box 1907, Americus, Georgia, 31709.

This the 12th day of January,
2011

Nell Marie Norris Ireland,
Executor

Prepared by:

J. Michael Greene
Attorney at Law
PO Box 1907
Americus, GA 31709
23561972
01/21,28;02/04,11/11

gpn07

**NOTICE TO DEBTORS AND
CREDITORS**

All persons having claims against the Estate of **JEANNE DILLARD YARBROUGH** are hereby notified to render demand upon the undersigned as provided by law and all persons indebted to JEANNE DILLARD YARBROUGH are hereby required to make immediate payment to the undersigned.

This 21st day of January, 2011.

C. DAVID SNIPES, as Executor
of the Estate of JEANNE
DILLARD YARBROUGH
Deceased

9078 Travelers Way

Midland GA 31820
Bradley R. Coppedge
HATCHER STUBBS LAND
HOLLIS & ROTHCHILD, LLP
P.O. Box 2707
Columbus, Georgia 31902-2707
23562270
02/04,11,18,25/11

COLAM ENTERPRISES, INC.
403 North Lee Street Americus
GA 31709

IS DOING BUSINESS IN
SUMTER COUNTY, GEORGIA
UNDER THE NAME OF:

TRADENAME:
The Archery Institute
403 North Lee Street
Americus, GA 31709

And that the nature of the
business to be carried on at such
address is
Education Instruction

/s/ Milton Raven
(signature of person making
declaration
23562060
01/28,02/04/11

Miscellaneous Notices

gpn14

**NOTICE OF INTENTION TO
INTRODUCE LOCAL
LEGISLATION**

Notice is given that there will be introduced at the regular 2011 session of the General Assembly of Georgia a bill to revise and restate the law relating to the Sumter County board of education and school superintendent; to provide for a change in the number of members of the board and the districts from which they are elected; to provide for eligibility, manner of election, and filling of vacancies; to provide for a chairperson and vice chairperson; to provide for compensation; to provide for appointment of the school superintendent; to provide for submission of this Act for preclearance under the Voting Rights Act; to repeal a specific former Act and Acts amendatory thereto; to provide for related matters; to repeal conflicting laws; and for other purposes.

Sumter County Board
of Education
23562243
02/04/11

Bids

gpn17

Smith's Mini Storage
1113 Southerfield Road
Americus, Georgia 31709

Notice of default of storage units
located at Smith's Mini Storage,
1113 Southerfield road.

The following storage units will be
sold for non payment of monthly
fees. The sale will be held on
Wednesday February 16, 2011 at
10:00 A.M. all items in the unit
will be sold to the highest bidder.

Cheryl Whitehead Unit-A-17
Living room and bedroom
furniture and misc. items

Dorothy Jackson Unit A-2
Furniture, toys and misc. items.

Willie James Harris Unit A-10
Dryer, Freezer, household and
misc items

Jessica Wilcher Unit C-9
speakers and misc. items.
23562323
02/04,11/11

NOTICE**PROBATE COURT OF
SUMTER COUNTY**

RE: PETITION OF Robert F.
Flanders TO PROBATE IN
SOLEMN FORM THE WILL OF
DOROTHY C. TIMMONS
DECEASED, UPON WHICH AN
ORDER FOR SERVICE WAS
GRANTED BY THIS COURT ON
January 14, 2011.

TO: ALL UNKNOWN HEIRS all
interested parties and all
singular the heirs of said
decedent, and to whom it may
concern:

This is to notify you to file
objection, if there is any, to the
above referenced petition, in this
Court on or before February 14,
2011.

BE NOTIFIED FURTHER: All
objections to the petition must be
in writing, setting forth the
grounds of any such objections.
All pleadings/objections must be
signed before a notary public or
before a probate court clerk,
and filing fees must be
tendered with your
pleadings/objections. Contact
probate court personnel at the
following address/telephone
number for the required amount
of filing fees. If any objections
are filed, a hearing will be scheduled
at a later date. If no objections
are filed, the petition may be
granted without a hearing.

/s/JUDY REEVES
PROBATE JUDGE

By /s/ Marianna S. Holloway
CLERK OF THE PROBATE
COURT

P.O. Box 246
ADDRESS

Americus, GA 31709

(229) 924-4551
TELEPHONE NUMBER

23561973
01/21,28;02/04,11/11

Estate Notices

gpn07

**NOTICE TO DEBTORS AND
CREDITORS**

GEORGIA, SUMTER COUNTY.

All creditors of the estate of
WILLIAM S. HEYS deceased,
late of Sumter County, Georgia
are hereby notified to render in
their demands to the undersigned
according to law, and all persons
indebted to said estate are
required to make immediate
payment to me.

This 20th day of January, 2011.

EVELYN P. HEYS
Executrix of the Estate of
WILLIAM S. HEYS, Deceased

EXHIBIT

C



SUMTER COUNTY BOARD OF EDUCATION

District 1 Carolyn Whitehead (B/F)

(b)(7)(C)

Leslie, GA 31764

(b)(7)(C)

District 6 Michael Mock (W/M)

(b)(7)(C)

Americus, GA 31719

(b)(7)(C)

et

District 2 Meda Krenson (W/F)

(b)(7)(C)

Americus, GA 31709

(b)(7)(C)

District 7 * Vacant

* Member resigned on 7/31/11
and no successor has been
appointed or elected as
of this date

District 3 Kelvin Pless (B/M)

(b)(7)(C)

Americus, GA 31709

(b)(7)(C)

District 8 Edith Ann Green (B/F)

(b)(7)(C)

Americus, GA 31719

(b)(7)(C)

District 4 Willa Fitzpatrick (B/F)

(b)(7)(C)

Plains, GA 31780

(b)(7)(C)

District 9 Alice Green (B/F)

(b)(7)(C)

Americus, GA 31709

(b)(7)(C)

District 5 Michael Busman (W/M)

(b)(7)(C)

Americus, GA 31719

(b)(7)(C)

SUPERINTENDENT:

Dr. Roy Brooks
Sumter County Board of Education

(b)(7)(C)

Americus, Georgia 31719

(b)(7)(C)

EXHIBIT

tabbles

D

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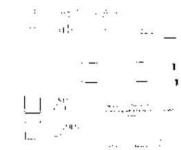
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